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Mark Frigon

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EXAMINER

BETT, JACOB F

ART UNIT

PAPER NUMBER

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/991,324	<b>Applicant(s)</b> FRIGON, MARK	
	<b>Examiner</b> Jacob F. B��tit	<b>Art Unit</b> 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C.   133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 90,98,103 and 106-117 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 90,98,103 and 106-117 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C.   119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C.   119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Remarks***

1. In response to communications filed on 9 June 2008, claims 90, 98, 103, 111, 113, and 114 have been amended and claims 115-117 are added per applicant's request. Claims 90, 98, 103, 106-117 are presently pending in the application.
2. In response to the applicant's request for interview, the examiner apologizes for not contacting the applicant before the proposed interview date (9 July 2008). The request for interview was not discovered until after the proposed time of the interview had passed. It is further noted that granting an interview would not have been proper since it was not apparent that an interview would have helped in expediting the case to final action. See MPEP 713.01 II.

### ***Claim Objections***

3. Claims 98, 107, and 111-113 are objected to because of the following informalities:  
Claim 98 states "at least one contract relationship", on line 16. This appears to be a typo.  
Claims 107 and 111-113 are objected to for depending from objected to claim 98.  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 90, 98, 103 and 106-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shneiderman (U.S. patent No. 7,010,751 B2) in view of Eintracht et al. (U.S. patent No. 6,687,878 B1).

As to claim 90, Shneiderman teaches in a multi-user computer network a method for obtaining and displaying information relating to the existence of at least one object in an image comprising:

obtaining image data comprising at least one object (see column 7, lines 40-43);

presenting a client interface configured for at least one providing user of a plurality of providing users to provide identifying information (see column 7, lines 42-46);

presenting a client interface on said first computer configured for said at least one providing user of said plurality of providing users to create at least one contact relationship between said plurality of providing users (see column 9, line 64 through column 10, line 8);

obtaining said identifying information from said at least one providing user wherein said identifying information comprises information that uniquely identifies said at least one object in said image data (see column 7, lines 46-56) and wherein said identifying information further comprises location information that identifies coordinates of said at least one object wherein identifying information further comprises data obtained from a list of said at least one contact relationship (see column 8, lines 8-12 and see column 12, lines 41-50);

storing said identifying information in at least one first computer where said identifying information is then searchable by a plurality of searching users (see column 5, lines 4-12);

presenting a search interface to at least one searching user of said plurality of searching users (see column 5, lines 13-18);

receiving a request for at least one image within said image data from said at least one searching user, where said at least one image comprises at least one result object (see column 5, lines 13-21);

performing a query that returns at least one result object found in said image data (see column 5, lines 20-24);

obtaining data associated with said at least one result object from said at least one first computer in response to said request, said data represents said identifying information provided by said at least one providing user of said plurality of providing users for said at least one result object (see column 5, lines 22-29); and

presenting said data associated with said at least one result object to said at least one searching user that initiated said request and presenting said identifying information at said coordinates of said at least one object (see column 5, lines 25-29).

Although, Shneiderman contemplates sharing the image information via email with contacts that are listed in the image database (see column 9, line 64 through column 10, line 8 i.e., creating contact relationships) and further contemplates importing other libraries of contacts (see column 12, lines 41-50, “data obtained from a list of said at least one contact relationship). Shneiderman does not distinctly disclose using multiple computers on a computer network to store and share the data in any kind of centralized manner.

Eintracht et al. teaches sharing notes and annotations of images in a centralized manner so that multiple clients can access the data remotely see column 2, line 8 through column 3, line

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4. Therefore, it would be obvious to one having ordinary skill in the art at the time of the invention to have modified Shneiderman to include the teachings of Eintracht et al. because these teachings would give the advantage of allowing multiple clients to annotate a document that resides on a central web server in an asynchronous fashion (see column 2 line 56 through column 3, line 4).

As to claim 98, Shneiderman teaches a method for obtaining and displaying information relating to the existence of at least one object in an image comprising:

obtaining image data comprising at least one object (see column 7, lines 40-43);

presenting a client interface configured for at least one providing user of a plurality of providing users to provide identifying information associated with said image data (see column 7, lines 42-46);

presenting a second client interface on said at least one first computer for said at least one providing user of said plurality of providing users to create at least one contact relationship between plurality of providing users (see column 9, line 64 through column 10, line 8);

obtaining said identifying information from at least one providing user of a plurality of providing users wherein said identifying information comprises information that uniquely identifies said at least one object in said image data (see column 7, lines 42-46) and wherein said identifying information comprises location information that identifies coordinates of said at least one object in said image data (see column 8, lines 8-12) and wherein said identifying information further comprises data obtained from a list of said at least one [contact] relationship (see column 12, lines 41-50);

storing said identifying information in at least one first computer wherein said identifying information uniquely identifies a single object within said image data and where identifying information for said at least one image is searchable by at least one searching user of a plurality of searching users (see column 5, lines 4-12);

presenting a search interface to at least one searching user of a plurality of searching users (see column 5, lines 13-18);

receiving a request for at least one search object within said at least one image from said at least one searching user of said plurality of searching users (see column 5, lines 13-21);

performing a query that returns at least one result image data comprising said at least one search object wherein said at least one result image data comprises image data found in at least one album (see column 5, lines 20-24);

obtaining said at least one result image data from said at least one first computer in response to said request (see column 5, lines 22-29); and

presenting said at least one result image data to said at least one searching user of said plurality of searching users that initiated said request and presenting said identifying information at said coordinates of said at least one object, said identifying information includes one or more identifying pages presented to said at least one searching user of a plurality of searching users (see column 5, lines 25-29 and see figures 1 and 7).

Although, Shneiderman contemplates sharing the image information via email with contacts that are listed in the image database (see column 9, line 64 through column 10, line 8 i.e., creating contact relationships) and further contemplates importing other libraries of contacts (see column 12, lines 41-50, “data obtained from a list of said at least one contact relationship).

Shneiderman does not distinctly disclose using multiple computers on a computer network to store and share the data in any kind of centralized manner.

Eintracht et al. teaches sharing notes and annotations of images in a centralized manner so that multiple clients can access the data remotely see column 2, line 8 through column 3, line 4. Therefore, it would be obvious to one having ordinary skill in the art at the time of the invention to have modified Shneiderman to include the teachings of Eintracht et al. because these teachings would give the advantage of allowing multiple clients to annotate a document that resides on a central web server in an asynchronous fashion (see column 2 line 56 through column 3, line 4).

As to claim 103, Shneiderman teaches a system for obtaining and displaying information relating to the existence of at least one object in an image comprising:

means for obtaining image data comprising a at least one object(see column 7, lines 40-43);

means for presenting a client interface configured for at least one providing user of a plurality of providing users to provide identifying information associated with said at least one object in said image data (see column 7, lines 42-46);

means for creating at least one contact relationship between said plurality of providing users (see column 9, line 64 through column 10, line 8);

means for obtaining said identifying information from said at least one providing user wherein said identifying information comprises information that relates to said at least one object in said image data (see column 7, lines 46-56) and wherein said identifying information further



comprises location information that identifies coordinates of said set of at least one object in said image data and wherein said identifying information is searchable by at least one searching user (see column 8, lines 8-12) and wherein said identifying information further comprises data obtained from a list of said at least one contact relationship (see column 12, lines 41-50);

means for storing said identifying information in at least one first computer wherein said identifying information uniquely identifies a single object of said set of at least one object (see column 5, lines 4-12);

means for presenting a search interface to at least one searching user of a plurality of searching users (see column 5, lines 13-18);

means for receiving via said search interface a request from said at least one searching user for at least one object within said image data (see column 5, lines 13-21);

means for performing a query that returns at least one result image data wherein said at least one result image data comprises image data found in at least one album and having said at least one object (see column 5, lines 20-24);

means for obtaining said at least one result image data from said at least one first computer in response to said request (see column 5, lines 22-29);

means for obtaining corresponding identifying information associated with said at least one search object in said at least one result image data (see column 5, lines 25-29);

means for presenting via a graphical user interface said at least one result image data and said corresponding identifying information to said at least one searching user that initiated said request and means for presenting said identifying information at said coordinates of said at least one object (see figures 1 and 7); and

means for associated a hyperlink with said at least one result image data to initiate a request for other image data (see column 7, lines 33-38).

Although, Shneiderman contemplates sharing the image information via email with contacts that are listed in the image database (see column 9, line 64 through column 10, line 8 i.e., creating contact relationships) and further contemplates importing other libraries of contacts (see column 12, lines 41-50, “data obtained from a list of said at least one contact relationship). Shneiderman does not distinctly disclose using multiple computers on a computer network to store and share the data in any kind of centralized manner.

Eintracht et al. teaches sharing notes and annotations of images in a centralized manner so that multiple clients can access the data remotely see column 2, line 8 through column 3, line 4. Therefore, it would be obvious to one having ordinary skill in the art at the time of the invention to have modified Shneiderman to include the teachings of Eintracht et al. because these teachings would give the advantage of allowing multiple clients to annotate a document that resides on a central web server in an asynchronous fashion (see column 2 line 56 through column 3, line 4).

As to claim 106, Shneiderman as modified, teaches wherein said at least one result object has an associated hyperlink adapted to initiate a request for other image data comprising said at least one result object (see Shneiderman, column 7, lines 33-38).

As to claim 107, Shneiderman as modified, teaches wherein said at least one result image data presented to said at least one searching user of said plurality of searching users has an

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associated hyperlink adapted for initiating a request for other image data (see Shneiderman, column 7, lines 33-38).

As to claim 108, Shneiderman as modified, teaches wherein said identifying information is provided by at least one searching user of said plurality of users for said at least one image data (see Shneiderman, column 7, lines 42-46).

As to claim 109, Shneiderman as modified, teaches wherein said query is performed by said plurality of searching users to produce a result comprising a same at least one result image data (see Shneiderman, column 5, lines 22-29).

As to claim 110, Shneiderman as modified, teaches wherein said identifying information used in performing requested query by said at least one searching user comprises identifying information searchable by said at least one of said plurality of searching users (see Shneiderman, column 10, lines 44-52).

As to claim 111, Shneiderman as modified, teaches wherein said identifying information is provided by at least one providing user in said plurality of providing users (see Shneiderman, column 7, lines 42-46).

As to claim 112, Shneiderman as modified, teaches wherein said query is performed by said plurality of searching users to produce a result comprising a same at least one result image data (see Shneiderman, column 5, lines 20-24 and see column 6, lines 9-18).

As to claim 113, Shneiderman as modified, teaches wherein said identifying information used in performing requested query by said at least one searching user comprises identifying information searchable by said at least one searching user of said plurality of searching users (see Shneiderman, column 6, lines 9-18).

As to claim 114, Shneiderman teaches a method for obtaining and displaying information relating to the existence of at least one object in an image comprising:

storing image data comprising representations of an identifiable person (see column 7, lines 40-43);

presenting a client interface configured for at least one providing user to provide identifying information about said identifiable person (see column 7, lines 42-46);

presenting a second interface on a client computer configured for said at least one providing user to create at least one contact relationship with said identifiable person (see column 9, line 64 through column 10, line 8);

obtaining said identifying information from said providing user wherein said identifying information comprises information that uniquely identifies said identifiable person in said image data (see column 7, lines 42-46) and wherein said identifying information further comprises location information that identifies coordinates of said at least one object in said image data (see

column 8, lines 8-12) and wherein said identifying information further comprises data obtained from a list of said at least one contract relationship created by said at least one providing user (see column 12, lines 41-50);

storing said identifying information in at least one server computer where said identifying information is searchable by a plurality of searching users (column 5, lines 4-12);

presenting a search interface to a first at least one searching user of said plurality of searching users (see column 5, lines 25-29);

receiving a request for said image data having said identifiable person from said first at least one searching user, said request comprising said identifying information about said identifiable person (see column 5, lines 13-21; see column 6, lines 9-18; and see column 10 lines 44-52);

performing a first query that returns said image data having said identifiable person (see column 5, lines 20-24);

presenting said image data associated with said identifiable person to said first at least one searching user that initiated said request and presenting said identifying information with said image data (see column 5, lines 25-29);

presenting said search interface to a second at least one searching user of said plurality of searching users (see column 1, lines 23-55 and see column 5, lines 13-18);

receiving a request for said image data having said identifiable person from said second at least one searching user, said request comprising said identifying information about said identifiable person (see column 5 lines 13-21);

performing a second query that returns said image data having said identifiable person (see column 5, lines 20-24); and

presenting said image data associated with said identifiable person to said second at least second one searching user that initiated said request and presenting said identifying information with said identifiable person (see column 5, lines 25-29).

Although, Shneiderman contemplates sharing the image information via email with contacts that are listed in the image database (see column 9, line 64 through column 10, line 8 i.e., creating contact relationships) and further contemplates importing other libraries of contacts (see column 12, lines 41-50, “data obtained from a list of said at least one contact relationship). Shneiderman does not distinctly disclose using multiple computers on a computer network to store and share the data in any kind of centralized manner.

Eintracht et al. teaches sharing notes and annotations of images in a centralized manner so that multiple clients can access the data remotely see column 2, line 8 through column 3, line 4. Therefore, it would be obvious to one having ordinary skill in the art at the time of the invention to have modified Shneiderman to include the teachings of Eintracht et al. because these teachings would give the advantage of allowing multiple clients to annotate a document that resides on a central web server in an asynchronous fashion (see column 2 line 56 through column 3, line 4).

As to claim 115, Shneiderman teaches in a computer system, a method for enabling website users to contribute digital photographs to a website comprising:

creating a contact relationship between users (see column 9, line 64 through column 10, line 8);

storing an association between said users when said contact relationship exists (see column 9, line 64 through column 10, line 8);

presenting a digital photograph having said at least one of said users (see column 5, lines 25-29);

identifying which of said at least one of said users are in said digital photograph (see column 7, lines 42-46);

accepting search values identifying said at least one of said users (see column 5, lines 20-24); and

displaying said digital photograph (see column 5, lines 25-29).

Although, Shneiderman contemplates sharing the image information via email with contacts that are listed in the image database (see column 9, line 64 through column 10, line 8 i.e., creating contact relationships) and further contemplates importing other libraries of contacts (see column 12, lines 41-50, “data obtained from a list of said at least one contact relationship). Shneiderman does not distinctly disclose using multiple computers or using web pages to store and share the data in any kind of centralized manner.

Eintracht et al. teaches sharing notes and annotations of images in a centralized manner using a web browser so that multiple clients can access the data remotely see column 2, line 8 through column 3, line 4. Therefore, it would be obvious to one having ordinary skill in the art at the time of the invention to have modified Shneiderman to include the teachings of Eintracht et al. because these teachings would give the advantage of allowing multiple clients to annotate a

document that resides on a central web server in an asynchronous fashion (see column 2 line 56 through column 3, line 4).

As to claim 116, Shneiderman as modified, teaches wherein said search values comprises a request for a listing of said digital photograph having said at least one of said website users (see Shneiderman, column 5, lines 20-24).

As to claim 117, Shneiderman as modified, teaches wherein said website users each have an associated email address that is unique to each specific user within said group of website users (see Shneiderman, column 9, line 64 through column 10, line 8).

### ***Response to Arguments***

6. Applicant's arguments filed 9 June 2008 have been fully considered but they are not persuasive.

In response to the applicant's arguments that the combination of references does not disclose allowing users to create at least one contact relationship, the arguments have been fully considered, but are not deemed persuasive. Shneiderman teaches keeping a record of the email addresses of the people in the images for "exporting the Image Library to others. See column 9, line 64 through column 10, line 8. Shneiderman further contemplates the importing of image aspect tables from other people's libraries. See column 12, lines 41-50. Therefore, it appears that Shneiderman does disclose a contact relationship between a plurality of providing users



although not in a centralized manner. Eintracht et al. discloses sharing data about images in a centralized manner rather than emailing the images and data to different users. See abstract.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and can be found in the attached form PTO-892.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Bétit whose telephone number is (571)272-4075. The examiner can normally be reached on Monday through Friday 10:30 am to 6:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

jfb  
12 Sep 2008

/Tony Mahmoudi/  
Supervisory Patent Examiner, Art Unit 2169